

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

AMERICAN CIVIL RIGHTS UNION,)
in its individual and corporate capacities,)
Plaintiff,)

v.)

Civil Action No. 7:16-cv-00103

ELECTION ADMINISTRATOR)
RAFAEL R. MONTALVO, in)
in his official capacity, and)
TEXAS SECRETARY OF STATE)
CARLOS H. CASCOS, in his)
official capacity.)
Defendants.)

ORDER DENYING DEFENDANT SECRETARY CASCOS' MOTION TO DISMISS

Before this Court for consideration is Defendant Secretary Cascos' Motion to Dismiss Plaintiff ACRU's First Amended Complaint. Following the review of Defendant's Motion and Plaintiff's Response thereto, this Court has determined that Defendant Secretary is properly joined in this action, pursuant to Rule 19(a)(1)(A) & (B)(i) and Rule 20(a) of the Federal Rules of Civil Procedure; and it has determined that it has jurisdiction over Defendant Secretary because the Secretary received proper pre-suit notice pursuant to 52 U.S.C. § 20510(b)(1).

IT IS THEREFORE ORDERED that Defendant's Motion to Dismiss is DENIED.

SIGNED this ____ day of _____, 2016.

RICARDO H. HINOJOSA
UNITED STATES DISTRICT JUDGE